

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GAIL, JOHN D. and John F. CORVELLO, et al,

Plaintiffs,

v.

C.A. No. 05-221T

NEW ENGLAND GAS COMPANY, INC.,

Defendant;

KEVIN BURNS, et al.

Plaintiffs,

v.

C.A. No. 05-274T

SOUTHERN UNION COMPANY dba
FALL RIVER GAS AND NEW ENGLAND GAS

Defendants;

consolidated with

COLLEEN BIGELOW, et al.

Plaintiffs,

v.

C.A. No. 05-370T

NEW ENGLAND GAS COMPANY, formerly known as
FALL RIVER GAS COMPANY, an
unincorporated division of
SOUTHERN UNION COMPANY,

Defendants;

SHEILA REIS, et al.

Plaintiffs,

v.

C.A. No. 05-522T

SOUTHERN UNION COMPANY dba
FALL RIVER GAS AND NEW ENGLAND GAS
Defendants.

NOTICE AND ORDER WITH RESPECT TO
PROPOSED CONSOLIDATION

It appears that all of these cases involve common questions of fact and law with respect to the defendants' liability and any injunctive relief that may be appropriate but different questions with respect to any damages to which the plaintiffs may be entitled.

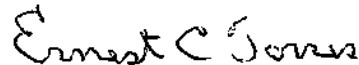
Therefore, in order to avoid needless duplication of effort and the risk of inconsistent judgments and in order to resolve these matters as efficiently and expeditiously as possible, the Court proposes to consolidate these cases and bifurcate the trial into liability and damages phases so that issues regarding the defendant's potential liability and appropriate remedial relief may be litigated in a single proceeding and issues with respect to damages sustained by individual plaintiffs may be litigated in a separate proceeding or proceedings.

If any of the parties object to this proposal, they must file their objections and supporting memoranda no later than January 11, 2007. Any parties supporting consolidation may file reply memoranda no later than twenty (20) days thereafter.

By Order,


Deputy Clerk

ENTER:


Ernest C. Torres, Sr. U.S. District Judge
Date: 12/11/06